

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PEDRO CARTAGENA,	:	CIVIL ACTION NO. 1:17-CV-742
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
SERVICE SOURCE, INC.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 29th day of January, 2019, following the pretrial conference with the parties and counsel of record in the above-captioned matter on January 16, 2019, and upon consideration of the parties' letter briefs regarding outstanding pretrial issues, (Docs. 80, 84-85), and the motion (Doc. 81) to dismiss Counts III and IV of the complaint filed by plaintiff Pedro Cartagena ("Cartagena"), and for the reasons set forth in the accompanying memorandum, it is hereby

ORDERED that:

1. The request to dismiss Cartagena's hostile work environment claims as time-barred by defendant Service Source, Inc. ("Service Source"), is DENIED without prejudice to Service Source's right to reassert its motion at trial, if appropriate, pursuant to Federal Rule of Civil Procedure 50.
2. Cartagena is granted leave to file, on or before Thursday, January 31, 2019 at 6:00 p.m., a supplemental pleading setting forth factual allegations surrounding the alleged June 2017 and January 2018 incidents of sexual harassment. Service Source shall respond to Cartagena's supplemental pleading on or before Monday, February 4, 2019 at 9:00 a.m. See FED. R. CIV. P. 15(d).

3. Cartagena's motion (Doc. 81) to dismiss Count III (negligent supervision) and Count IV (intentional and negligent infliction of emotional distress) of the complaint is GRANTED. Service Source may not introduce evidence or testimony concerning these claims or the fact of their dismissal.
4. Cartagena may issue a subpoena/notice to attend trial to Service Source's chief executive officer, Janet Samuelson.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania